

COMMONWEALTH OF MASSACHUSETTS
BARNSTABLE, SS

Superior Court
Barnstable, ss
85
Filed MAY 06 2019
SUPERIOR COURT
DOCKET NO. 1872CR00128
A. B. Fogarty Clerk

COMMONWEALTH

v.

KEVEN SEME
Defendant

**MOTION IN LIMINE
TO PROHIBIT TESTIMONY OF ARNALDO FELICIANO**

The Defendant moves, the Court rule as prohibited the testimony of Arnaldo Feliciano. Mr. Feliciano gave an interview to police on March 19, 2018. Mr. Feliciano was a cellmate to CoDefendant Kyle Walker. Mr. Feliciano's entire testimony is of what Mr. Walker said to him. Mr. Walker is, upon information and belief, not a witness in the captioned matter and thus not subject to cross-examination as he has fifth amendment protection.

THE DEFENDANT
By His/Her Attorney

Edward B. Fogarty

Attorney Edward B. Fogarty
1380 Main Street * Ste 410
Springfield, MA. 01103
Tel: (413) 827-0174
Fax: toll free (866)843-1608
email: edward.b.fogarty@fogartylegalser
vices.com
BBO: 173090

CERTIFICATE OF SERVICE: I, Edward Fogarty, certify I have caused a copy of the above to be served upon the Barnstable County District Attorney Office, attn. Sharon Thibault. /s/ Edward Fogarty

1 BARNSTABLE DISTRICT COURT, BARNSTABLE COUNTY, MASSACHUSETTS
2

3 IN THE MATTER OF:

4 THE COMMONWEALTH OF MASSACHUSETTS,

5 Plaintiff,

6 v.

7 KYLE WALKER et al.,

8 Defendants.

9

10 The following interview took place between

11 TROOPER GERALD DONOVAN, SERGEANT MARK BUTLER, and

12 ARNALDO FELICIANO, on Monday, March 19, 2018, at 10:29 a.m.

13

14

15

16

17

18

19

20

21

(FILE NAMES: 2018.03.19_10.28_01.MP3)

1 TROOPER DONOVAN: This whole thing's going to be
2 recorded, okay? All right. That's the recording device.
3 So, for the record, today is March 19th.

4 It's 2018. It's approximately 10:29. And if you
5 wouldn't mind just stating your name and date of birth for
6 the record?

7 MR. FELICIANO: My name is Arnaldo Feliciano.

8 TROOPER DONOVAN: Yeah.

9 MR. FELICIANO: Date of birth: August 8th, 1981.

10 TROOPER DONOVAN: 08/08/81?

11 MR. FELICIANO: 08/08/81.

12 TROOPER DONOVAN: All right. My name's
13 Trooper Geri Donovan, State Police. And with me is --

14 SERGEANT BUTLER: Sergeant Mark Butler, Barnstable
15 Police.

16 TROOPER DONOVAN: All right. Well, do you go by
17 Arnaldo? Do you have a nickname or anything? Is it okay
18 for us to just call you Arnaldo?

19 MR. FELICIANO: (No verbal response).

20 TROOPER DONOVAN: All right. So, Mark and I are
21 the Investigators on the, on the case that we're here to
22 speak to you about. And you, apparently, have reached out
23 through a third party saying that you have some information.

24 Yeah?

25 MR. FELICIANO: Yeah.

compliance with the PDF/A standard and has been opened read-only to prevent modification.

Arnaldo Feliciano March 19, 2018

EXHIBIT

1

1 BARNSTABLE DISTRICT COURT, BARNSTABLE COUNTY, MASSACHUSETTS

2

3 IN THE MATTER OF:

4

THE COMMONWEALTH OF MASSACHUSETTS,

5

Plaintiff,

6

v.

7

KYLE WALKER et al.,

8

Defendants.

9

10 The following interview took place between
11 TROOPER GERALD DONOVAN, SERGEANT MARK BUTLER, and
12 ARNALDO FELICIANO, on Monday, March 19, 2018, at 10:29 a.m.

13

14

15

16

17

18

19

20

21

22

23

24

25 (FILE NAMES: 2018.03.19_10.28_01.MP3)

Compliance with the PDF/A standard and has been opened read-only to prevent modification.

Arnaldo Feliciano March 19, 2018

2

1 TROOPER DONOVAN: This whole thing's going to be
2 recorded, okay? All right. That's the recording device.
3 So, for the record, today is March 19th.

4 It's 2018. It's approximately 10:29. And if you
5 wouldn't mind just stating your name and date of birth for
6 the record?

7 MR. FELICIANO: My name is Arnaldo Feliciano.

8 TROOPER DONOVAN: Yeah.

9 MR. FELICIANO: Date of birth: August 8th, 1981.

10 TROOPER DONOVAN: 08/08/81?

11 MR. FELICIANO: 08/08/81.

12 TROOPER DONOVAN: All right. My name's
13 Trooper Geri Donovan, State Police. And with me is --

14 SERGEANT BUTLER: Sergeant Mark Butler, Barnstable
15 Police.

16 TROOPER DONOVAN: All right. Well, do you go by
17 Arnaldo? Do you have a nickname or anything? Is it okay
18 for us to just call you Arnaldo?

19 MR. FELICIANO: (No verbal response).

20 TROOPER DONOVAN: All right. So, Mark and I are
21 the Investigators on the, on the case that we're here to
22 speak to you about. And you, apparently, have reached out
23 through a third party saying that you have some information.
24 Yeah?

25 MR. FELICIANO: Yeah.

pliance with the PDF/A standard and has been opened read-only to prevent modification.

Arnaldo Feliciano March 19, 2018

3

1 TROOPER DONOVAN: Okay. What is it you want to
2 tell us? But first and foremost --

3 MR. FELICIANO: Yeah.

4 TROOPER DONOVAN: -- before I forget, I don't make
5 any deals. I can't offer you anything. Whatever you say to
6 me here today, whatever you say to us, we take back to the
7 Cape and Islands District Attorney's Office. They make that
8 decision. So, I can't say --

9 MR. FELICIANO: But whatever I say, like --

10 TROOPER DONOVAN: But if, if it doesn't go
11 anywhere, I'm not going to tell anybody anything.

12 MR. FELICIANO: Exactly. That's --

13 TROOPER DONOVAN: Yeah, yeah. I'm not going to --

14 MR. FELICIANO: I already spoke to my Lawyer. He
15 already told me that it was -- it's no guarantee or
16 anything. So --

17 TROOPER DONOVAN: He's not what?

18 MR. FELICIANO: He told me that -- what you just
19 say. Okay?

20 SERGEANT BUTLER: Said no guarantee. Is that what
21 your Lawyer told you?

22 MR. FELICIANO: Yeah.

23 TROOPER DONOVAN: Yeah. So, no guarantees of
24 anything. You know, if, if you have good information and
25 the DA thinks it's good information, we will go from there.

Arnaldo Feliciano March 19, 2018

4

1 MR. FELICIANO: Um-hmm.

2 TROOPER DONOVAN: Okay. So, you must feel pretty
3 confident that you have good information. Otherwise, from
4 my understanding, you don't typically talk or deal with the
5 Police; is that correct?

6 MR. FELICIANO: Yes.

7 TROOPER DONOVAN: Okay.

8 MR. FELICIANO: I already worked before with the
9 New Bedford.

10 TROOPER DONOVAN: So, you've worked before with the
11 Bedford Police?

12 MR. FELICIANO: Yeah.

13 TROOPER DONOVAN: Okay.

14 MR. FELICIANO: Detective -- she's a Sergeant now,
15 Jonathan Lagoa, and, and already -- before, like, because of
16 my information, somebody got convicted --

17 TROOPER DONOVAN: Okay.

18 MR. FELICIANO: -- on federal charges of
19 possession.

20 TROOPER DONOVAN: Do you know that Sergeant's name?

21 MR. FELICIANO: Jonathan Lagoa, Jonathan L-A-G-O-A.

22 TROOPER DONOVAN: And that's in -- that's the guy
23 that went away?

24 MR. FELICIANO: No.

25 TROOPER DONOVAN: Oh, that's the Cop?

1 Arnaldo Feliciano March 19, 2018

5

1 MR. FELICIANO: Detective.

2 TROOPER DONOVAN: Oh, okay. I'm sorry. I thought
3 you said it was a woman.

4 MR. FELICIANO: No.

5 TROOPER DONOVAN: Okay.

6 SERGEANT BUTLER: The Bedford Police?

7 MR. FELICIANO: Yes.

8 TROOPER DONOVAN: All right. What are you in here
9 now for?

10 MR. FELICIANO: Drug charges.

11 TROOPER DONOVAN: Drug charges? Okay. So, who's
12 your cellmate?

13 MR. FELICIANO: Kyle Walker.

14 TROOPER DONOVAN: Okay. How long you been
15 cellmates with Kyle?

16 MR. FELICIANO: For about two to three months now.
17 I known him for, like, two, two and a half years.

18 TROOPER DONOVAN: You've known him -- so --

19 MR. FELICIANO: Like, we've been together in
20 different units.

21 TROOPER DONOVAN: Okay.

22 MR. FELICIANO: And before, we've been together in
23 segregation and just became roommates at the beginning of
24 this year.

25 TROOPER DONOVAN: So, you're very familiar with

him?

MR. FELICIANO: Oh, yeah.

TROOPER DONOVAN: Would he consider you a friend?

MR. FELICIANO: You can say so, yeah.

TROOPER DONOVAN: Okay.

MR. FELICIANO: They're young. I'm older, so they,

they look at me and --

TROOPER DONOVAN: Older, 1981, okay.

MR. FELICIANO: Older than --

TROOPER DONOVAN: I know.

MR. FELICIANO: -- 21, 26.

TROOPER DONOVAN: Yeah. I know, I know.

MR. FELICIANO: In jailtime, 36 is --

TROOPER DONOVAN: Because if you're older, than,
I'm really old.

MR. FELICIANO: -- really old.

SERGEANT BUTLER: If he's old, I'm old.

TROOPER DONOVAN: All right. So, what have you and
Kyle been discussing?

MR. FELICIANO: I really don't ask much. He just
always, like, just talk about the case. Like, he --

TROOPER DONOVAN: And what case is, is he talking
about? Because Kyle's had a few cases, but what case is he
talking about?

MR. FELICIANO: The thing he's incarcerated on now

Arnaldo Feliciano March 19, 2018

7

1 is that he'd been charged with First Degree Homicide --

2 TROOPER DONOVAN: Yeah.

3 MR. FELICIANO: -- as far as my concerned. And
4 that's why he say -- and he, he said he talked to see what I
5 can think about the case.

6 What you think about this? What you think about
7 that? And I just put my one and two in and let him know
8 what I think, because he want to go to trial. I keep
9 telling him, don't go to trial, but he want to go to trial.

10 TROOPER DONOVAN: What are some of his questions?

11 MR. FELICIANO: Basically, how, how can he make
12 things look like it didn't happen. Like, when he left the
13 house, if his girl's mom didn't see him or if she saw him
14 coming back when he was taking the clothes off, if -- how
15 can he make it look like it was other people, you know, at
16 the house, that it wasn't him --

17 TROOPER DONOVAN: Right.

18 MR. FELICIANO: -- and stuff like that. And, you
19 know, like, trying to -- how try and make it look like
20 somebody's lying or it was somebody else, that it was the
21 person that came back in the house at that time after the
22 incident happened, you know?

23 TROOPER DONOVAN: Right.

24 MR. FELICIANO: Trying to make it look -- because
25 it's -- she's, she's at night, you know? And she's,

1 basically, the only one that -- him and his girlfriend are
2 the only that saw him with the clothes that night.

3 TROOPER DONOVAN: Right.

4 MR. FELICIANO: How can he make it look -- you
5 know, stuff like that, asking me. So --

6 TROOPER DONOVAN: Well, whatever stuff? Let's,
7 let's think about some of the other things he's asked you
8 about regarding his case.

9 MR. FELICIANO: That's, basically, like -- he, he
10 already, like -- well, he --

11 SERGEANT BUTLER: Did he tell you the story? Did
12 he tell you his own story or version of what happened?

13 MR. FELICIANO: Yeah. He told me about how all the
14 beef started with the dude, because he kept, like, selling
15 and they, and they spots where -- taking care of they
16 customers and stuff. And, like, they already had
17 [indiscernible]. He already --

18 TROOPER DONOVAN: When you say the dudes, you mean
19 the dude that got killed?

20 MR. FELICIANO: The dude that got killed, yeah.

21 TROOPER DONOVAN: Okay.

22 MR. FELICIANO: How they had already shot him
23 before. You know what I'm saying? Like, if it was a few
24 weeks prior, I'm not really sure.

25 He told me like how they already was on to him and

Arnaldo Feliciano March 19, 2018

9

1 shit, how they, like -- how he -- I think he post a picture
2 online or something, throwing like the 900 or something
3 down. And that's when, like, really set everything in
4 motion. Then, after that, I held a -- dude was
5 [indiscernible] in front of, like, his man house, like his
6 mother -- his [indiscernible] family do AV.

7 TROOPER DONOVAN: Yeah.

8 MR. FELICIANO: I think his name is Anthony Ross.

9 TROOPER DONOVAN: Okay.

10 MR. FELICIANO: And how right there, he was --
11 already got too personal, you know, and how AV -- like, I
12 think he left, he left the state for a little bit trying to
13 clear his mind.

14 Then, when he came back, like, he bumped into him in
15 a -- around the same -- in the same area where he got
16 killed, but he was thinking that it was cameras and shit.
17 Like, he didn't want to -- he don't want to do nothing, so
18 he called Kyle.

19 You know, he went to his house, and was like -- so,
20 Kyle was like, like, I do it for you. You know what I'm
21 saying?

22 He was, like, yo, I got you if you do it. Like, I
23 got you. You know what I'm saying? I take care of you.
24 And, like, basically, how -- he told -- yo, they over there
25 and shit.

Arnaldo Feliciano March 19, 2018

10

1 Like, they grabbed the, the weapon. And the dude,
2 Kev, he was really like trying to impress. You know what
3 I'm saying? Like -- he was like, yo, let me do it. You
4 know what I'm saying?

5 Because he's -- he was Kyle's, like -- he was being
6 with Kyle a lot during the, the same -- the last time when
7 he was outside, and shit and he was trying to prove himself.

8 So, then, I -- then, then, when, like, they got,
9 they got dressed and, and went over there, you know, like,
10 told me how he, he really, like -- he cleaned up real good,
11 like, put under clothes under the hoodie.

12 You know what I'm saying? Trying to make sure that
13 he didn't leave no, no DNA and stuff like that and shit.
14 And when they got over there, like, they saw the, the kid
15 that got killed. And he, like, called them, like, yo,
16 what's up?

17 Like, he was trying to act like he trying to fix the
18 problem, but, basically, he wasn't. Like, you can -- like
19 he said, you can -- because he was trying to ride the slip.
20 So, he was talking to him while Kev is in the other side.
21 You know?

22 Accept, but not the driver almost everything -- they
23 say almost everything go wrong because the driver recognized
24 Kev. They're from the same block. They're from the same
25 hood in Brockton. So, he recognize him.

Arnaldo Feliciano March 19, 2018

11

1 And like, yo, that's you? So, they start talking.
2 And they just talking. Then, it was like, yo, we got to go.
3 Both jump in the car. He was like checking Kev like, yo,
4 come here.

5 Like, like, little by little, they were, like, yo,
6 can I get a cigarette? You got a cigarette? Yeah. He gave
7 a cigarette.

8 Then, yo, Kev, you want a cigarette? When Kev came
9 to brought the cigarette, he pulled out and just -- like he
10 said, he just got his wig pushed back.

11 You know, said, like, just shot him right in the
12 head. Said like, said like blood went everywhere. Like,
13 said that -- I don't know -- I know he said, like, his wig
14 got pushed back, so, it mean it's a head shot.

15 TROOPER DONOVAN: Right.

16 MR. FELICIANO: Because that's how we call it. You
17 know what I'm saying? Like, when they were running, he
18 said, oh, he almost got, got scared because at the corner
19 when they were running down the street, it was a cruiser
20 that was driving by, but, like, they didn't see him.

21 The cruiser just stopped and just kept going and
22 just -- they just kept running to his girlfriend's house,
23 his girlfriend's mom house, and shit. And got over there,
24 and they just change clothes, and the girl got scared and
25 never through all the clothes.

Arnaldo Feliciano March 19, 2018

12

1 You know? Like, when they were running, Kev asked
2 -- he say, yo, he kept asking, what should I do with the
3 gun? And he say, put it away. And I think Kev understood,
4 he said throw it away. That's when he threw the gun and
5 shit, and stuff like that.

6 Like, he, basically, talk about his case. And,
7 like, at the beginning, I keep telling him, like, yo -- I'm
8 like, don't talk about that shit. That's, that's, that's,
9 that's you. You know what I'm saying?

10 Like, he just kept telling -- I really was almost --
11 like, I don't want to ask question when [indiscernible].
12 Like, I don't want to ask questions because I don't want to
13 look suspicious, but, like -- It's bad.

14 What had really got to me was when he was like, yo,
15 I think we're going to try to put the blame on my
16 brother-in-law, because it was his DNA in the clothes. He
17 used to use my clothes and shit.

18 I'm like, dude, he's going to get charged for that
19 shit? He like, probably. I'm like, yo, why you going to do
20 that? You know what I'm saying?

21 So, if you think he might get charged, you going to
22 look like you did it. But then, if he gets charged, all
23 areas going to point to him, like, that's an innocent person
24 then, that you're putting the blame on. That, that, that
25 ain't right.

Arnaldo Feliciano March 19, 2018

13

1 TROOPER DONOVAN: Yeah.

2 MR. FELICIANO: You know what I'm saying? Like --
3 shit like that. Then, he's still mad because AV only, like
4 -- only put like \$10,000 toward his Lawyer.

5 He probably going to have to go with a Public
6 Defender, because he don't got no more money. You know what
7 I'm saying?

8 He's locked up right now, but -- like he said, he
9 still got money. Like, he should've take care of me. You
10 know what I'm saying? Like --

11 TROOPER DONOVAN: All right.

12 SERGEANT BUTLER: So, who -- based on what you
13 heard, who had the problem with the kid who got shot?

14 MR. FELICIANO: Basically, it was -- okay. Because
15 Kyle -- and, like, what he said, like, he wasn't dealing
16 with, with AV, but that's his man and shit. Like, they all
17 from the same area and shit. So --

18 TROOPER DONOVAN: He said he wasn't dealing with
19 AV, right. Well --

20 MR. FELICIANO: Yeah, yeah --

21 TROOPER DONOVAN: Did you say --

22 MR. FELICIANO: --- he wasn't dealing --- when he was
23 dealing with this other big -- you know, some big boys and
24 shit. You know what I'm saying?

25 TROOPER DONOVAN: Yeah.

Arnaldo Feliciano March 19, 2018

14

1 MR. FELICIANO: Like when he went to Florida, you
2 know, AV asking him, yo, collect some money for me and shit.
3 And people owe and him stuff.

4 So, like, like, they, they boys but, like,
5 basically, they all like -- the kid was disrespecting. So,
6 I think that they was, like --

7 TROOPER DONOVAN: And that -- you're answering
8 Mark's question now of, who had the beef with him, right?
9 And when you say the kid, you mean the kid that got shot?

10 MR. FELICIANO: Yeah. The kid --

11 TROOPER DONOVAN: Okay.

12 MR. FELICIANO: He had been, basically, with, with
13 both of them. Like, but it was really, like, like, AV that
14 was pushing the issue. You know what I'm saying? Like, I
15 don't know.

16 Like, from what I got out of it, like, he kept going
17 into their houses because -- he was doing it to both,
18 because I think, like, if -- I think he said that he already
19 had shot him.

20 Like, that was Kyle that did that first, that, that
21 shot him. I think it was in -- they hit somewhere around
22 here.

23 TROOPER DONOVAN: So, Kyle shot him in -- somewhere
24 around the leg?

25 MR. FELICIANO: That was --

Arnaldo Feliciano March 19, 2018

15

1 TROOPER DONOVAN: The ass?

2 MR. FELICIANO: Yeah. That's when he was in
3 crutches and shit.

4 TROOPER DONOVAN: Yeah?

5 SERGEANT BUTLER: There was a prior shooting, is
6 that what you're saying?

7 MR. FELICIANO: Yeah, before that. That was, like,
8 I think -- I don't know if he say a few weeks, a few months,
9 but I know it was prior to that.

10 TROOPER DONOVAN: Okay.

11 MR. FELICIANO: You know? And -- but, like, the
12 one that got the -- like, that really wanted it, like real
13 bad was it -- because I think he was giving a front for AV's
14 family and shit. And he took it too personal.

15 Like, he just want to, like -- if he couldn't do it,
16 like, somebody got to do it for him. You know what I'm
17 saying? That's why they're, like, yo, I got you. I think,
18 like --

19 TROOPER DONOVAN: So, from what you were saying,
20 from what Kyle said to you, is that AV went to Kyle with
21 that, and Kyle said --

22 MR. FELICIANO: Yeah. He called him --

23 TROOPER DONOVAN: -- he would take care of it?

24 MR. FELICIANO: He called him that he saw him. Yo,
25 I just bumped into him in the parking lot over there. And

1 he was like, yo, I don't want no problem with y'all.

2 My problem is with this other dude. So, then, . . .
3 they're, like, yeah, like -- yeah, but, like, if you want no
4 problem, why you keep skimming, like, going after us?

5 I'm saying, because y'all came after me. Y'all
6 already shot me. Like -- and they, kind of, all right.

7 Like, he don't want -- like, basically, he left it at that.

8 But, like, he kind of knew that he, like, he was
9 bullshitting. You know what I'm saying? We just trying to
10 [indiscernible], because he already know they shot him
11 before. He don't know [indiscernible].

12 So, he had to drop on him when he was there, because
13 they keep looking for him, but they keep missing him. You
14 know what I'm saying?

15 Now, when he saw him there, that's when he, he
16 called, like, yo, I got the drop on him. I got the drop on
17 him. Like, I can't do it. If you do it, I got you.
18 They're like, yeah, I'll do it.

19 SERGEANT BUTLER: So, Kyle -- sorry to cut you off,
20 but Kyle, Kyle saw the kid?

21 MR. FELICIANO: No. AV saw the kid.

22 SERGEANT BUTLER: AV saw the kid? Okay.

23 MR. FELICIANO: AV saw the kid.

24 SERGEANT BUTLER: And called Kyle?

25 MR. FELICIANO: Yeah. AV saw the kid. He saw him

Arnaldo Feliciano March 19, 2018

17

1 over there, and he got in the car, and I think he pulled out
2 a knife on him. But he was scared to do anything, because
3 he's like, yo, like it might be cameras. I might get caught
4 on camera. Like --

5 SERGEANT BUTLER: This is before?

6 MR. FELICIANO: This is right before.

7 SERGEANT BUTLER: The same day or --

8 MR. FELICIANO: Yeah, the same day.

9 SERGEANT BUTLER: Okay.

10 MR. FELICIANO: That was right the same day.

11 Because he had the drop on him. Like, he was, like, yo, I
12 got the drop on him.

13 He's over there right now. You know what I'm
14 saying? So, they went to AV's house, talked to him and shit
15 like, all right, then, let's do this. You know? And that's
16 when Kev and Kyle went over there. You know?

17 TROOPER DONOVAN: Did Kyle say where they got the
18 gun from?

19 MR. FELICIANO: From what I took out of it, like,
20 he wasn't -- when he was, when he was saying, like, he left
21 the house, he -- basically, he didn't have -- because --
22 okay.

23 When he was talking to AV, he said, yo, AV's telling
24 me what it is and like, yo, are you going to do it? So,
25 basically, he was like, yo, so, I brought the gun.

Arnaldo Feliciano March 19, 2018

18

1 And then, Kev walk in on us, you know what I'm
2 saying? Like, yo, what you doing? They're, like, no, no,
3 I'm just -- I'm good.

4 Like, no, but what's up? Like, I'm about to get
5 this dude, so, I'm not -- like, this is what's with AV.
6 This is -- he went to AV, so I took out of it, like, that's
7 where they got the gun. You know what I'm saying? Like --

8 TROOPER DONOVAN: Okay.

9 MR. FELICIANO: -- let's go --

10 TROOPER DONOVAN: Yeah. No, that's good. If you
11 don't know, you don't know. If you're just --

12 MR. FELICIANO: Yeah. Because, like --

13 TROOPER DONOVAN: If that's what you think, then,
14 that's what you think.

15 MR. FELICIANO: No, that's because he never said
16 nothing about no gun until he said, like, he went to a room
17 with AV. He's telling him, like, yeah, so, you're going to
18 do it? All right. Let's go. Then, he was like, yo, I just
19 brought the gun.

20 Then, Kev walk in on them, and that's when Kev was
21 like, yo, let me do it. Let me do it. Like, I want you to
22 know like, I'm down, too.

23 Like, come on, you been looking at for me. Like,
24 let me show you. Are you sure? It's your life. He's like,
25 yeah, all right. All right. Let's go. You know?

TROOPER DONOVAN: Did he say that AV promised him anything? I mean, what -- why would he just do that for him?

MR. FELICIANO: He said, yo, I got you. That's what he say, he say, yo, I got you. Don't worry about it. Like, if you do this, I got you. He was just, basically, like, you already had got too personal with AV. You know what I'm saying?

TROOPER DONOVAN: Yeah.

MR. FELICIANO: Too personal. Because I know he tell me before, like -- before all this, he was, like, yo, they kind of know. But they don't know who put out the hit. This is what he told me before.

Like, before he gave me -- start talking about the case, he, he used to be like, but they don't know. But they don't know.

So, I keep telling him, like, yo, what about if Kev say who put out the hit? They're like, no, he's not going to do that, because he know these people going to go -- going to get him, going to get him.

So, then, he was -- when he told me, like, yeah. He left to -- like, after the kid that got killed was skimming around his family's house, he took a vacation, then, like to clear his -- because he was going -- like, it got to personal when he got back.

1 TROOPER DONOVAN: Yeah. AV left, right?

2 MR. FELICIANO: Yeah.

3 TROOPER DONOVAN: Yeah.

4 MR. FELICIANO: And he said, when he came back, it
5 was like -- then, he, he saw him. So, it was like, yeah.
6 So, when he told me, yo, I got you, so that's when I
7 realized like, okay. Like if they saying they might, they
8 might -- okay.

9 They say -- okay. This is what -- so, yo, I think
10 they know who put out the hit. They think it my man AV.
11 So, I didn't know who AV was.

12 I [indiscernible] start asking him, like, yo, but
13 who's AV? Oh, he's upstate. Yeah, I might see him up there
14 if I go upstate, like see him up the road.

15 Yeah, if you go over there, look for him. His name
16 is Anthony Ross. That's my man. Like, that's my man.
17 Like, he got money. He, he good. I'm like, oh, all right.

18 Because he already had said AV -- they think they
19 knew that AV put out the hit, but they don't know. They're
20 not sure. So, then, I realized that AV was Anthony Ross.

21 Like --

22 TROOPER DONOVAN: Right.

23 MR. FELICIANO: -- I don't know none of these
24 people. I never been in the Cape in my life. So --

25 TROOPER DONOVAN: Got you.

MR. FELICIANO: He's --

TROOPER DONOVAN: And so, back up to the car again.

What did he tell you about the car? Sorry to have you repeat yourself, but I just want make sure --

MR. FELICIANO: Now, when they went -- when they got there, the kid -- I don't know the kid. I think his name is Smooth.

I don't know. It's like, yo, he saw me. He was like, yo, Killer. Yo, Killer? That's what they call Kyle. Yo, Killer, come on.

Come over here. That's you? And he was like, damn, he recognize me. Because he had -- they had the hoodies on. So, like, yo, what's up man?

Yo, I just saw AV, man. I just talked to him. Yo, listen. I don't want no problem, yo. You want to smoke? He's like, no, no, I'm good. No, come on, let's go take a ride.

He realized that, like, this dude thinks I'm going to get in the car with him. I just shot him, like -- and like, yo, what's up? No, no, I'm good. So, what's up? So, everything's good. Like, yo, I want you to know that I don't want no problem.

But now, this is when Kev, he came and then kept talking. Then, the driver was like, yo, Kev, that's you? , Kev?

Arnaldo Feliciano March 19, 2018

22

1 Then he was -- that's when Killer was like -- he
2 look at him, like -- yo, it's me. And, like -- and he
3 realized that they from the same area in Brockton. Oh,
4 like, oh, shit what's up? Oh, shit, what up?
5 [Indiscernible].

6 Now, the driver's talking to Kev, and, and the other
7 dude -- like, the dude that recognized Kev talking to him,
8 and the dude that got killed is talking to Killer and shit.
9 So, he just making it look -- like, like, he said he just
10 making it look like everything is cool. You know what I'm
11 saying?

12 TROOPER DONOVAN: Yeah.

13 MR. FELICIANO: So, then, they were like, yo -- yo,
14 I got to go. Yo, you got a cigarette? He kept looking over
15 at the car, telling Kev, like, come on.

16 Like, you know, do it. You going to do it? And
17 he's like, chill, like -- basically, just wait. Let's let
18 him slip on it. You know what I'm saying?

19 Like, he asked -- then, when Kev was coming around,
20 like, yo, can I get one cigarette. They asked for a
21 cigarette and shit. And when he came around, that Kev came,
22 he was like -- this is what he say, he was like, boom shot
23 him.

24 He was like, yo, that shit, that shit was crazy. It
25 went everywhere on the clothes and shit. And it's -- and

it's, that's what he say about that.

SERGEANT BUTLER: Did, did he say -- how did those people know to meet? Like, how did Kyle and Kev know to get the car?

MR. FELICIANO: Because, because, like I say, just -- AV had just told them -- had just been to the kid that got killed -- I don't know his name. I think it's Smooth. He keep saying, Smooth, Smooth.

So, then, like, yo, he just saw him. He got -- he saw him in the car. He got in the car, pulled out a knife on him, but he realized that he might be get caught on camera. You know what I'm saying?

He was like, yo -- he ran up from -- check it to see if he got gun trying to take all his shit. And then, act like everything was all right and left. But everything was not all right. He just didn't want to do it because he knew, like, there's too many cameras.

He's like, yo, he already beat a smack. Like, he already beat a murder. He don't want to, like, be around. So, that's when he was like, yo -- he called -- that's when he called them, like, yo, I got the drop on him. Like, if you want to do it and shit, like, I got you.

SERGEANT BUTLER: Did Kyle say what time the murder happened?

MR. FELICIANO: It was early in the morning,

1 probably, like, like 2:00, 3:00 -- like, it was between,
2 like -- I know he -- like, early in the morning, early in
3 the -- and, like, I don't know if it was 2:00, 3:00, and
4 some shit like that.

5 SERGEANT BUTLER: Yeah. We're just trying to
6 figure out how this -- you know, how at 2:00, 3:00 in the
7 morning that these two people would get together, whether
8 somebody made a phone call and said meet or whatever it was.

9 MR. FELICIANO: Yeah. I know Kyle didn't know
10 where's Smooth. It was AV that wanted to call Kyle to let
11 him know, yo, I got the drop on him.

12 You know what I'm saying? Like, then, they went
13 over and, and they discuss it. Like I say, they discuss it,
14 and he say, yeah, I got you. Don't worry. Like --

15 SERGEANT BUTLER: Like you said, afterwards, Kyle
16 said that they're running back to the house?

17 MR. FELICIANO: They ran all the way to the house.
18 Right before the house, they -- It was a Police cruiser, and
19 he told me, yo, I went like this.

20 There was a cruiser right there. Dude just look,
21 look at us and just keep going. I was like, oh, shit. They
22 just kept running. And Kev asked him, what you want me to
23 do with the gun?

24 He was like, put it away. He understood he say
25 throw it away. He just threw it, and Kev run into the

1 house, to his girlfriend's mother's house.

2 SERGEANT BUTLER: And do you know what happened --
3 what did he tell you happened at the house?

4 MR. FELICIANO: At the house, when he got there, he
5 went in through the back, he took his clothes off -- took --
6 Kev took his clothes, and they put it in a bag. And he said
7 he told his girl, like, yo, throw this away. Throw this
8 away for me.

9 Like, she asked what happened? Tell her what
10 happened. They were like, yo, we might have left caskets
11 and shit. She tried to go back, but it was already too many
12 Police. So, she went back to the house.

13 That's when, I think, they left in a little -- like,
14 I don't know what time. I know then, after a while, he say,
15 after -- oh, we just call a cab, or we use Lyft to the tell
16 -- to the hotel and shit.

17 He went to the hotel over there and met -- they met
18 with Boots, Boots and them over there and shit and that's
19 when -- then, his mom called him, like, you're all over the
20 news. It was early in the morning already. And then --

21 TROOPER DONOVAN: Who'd he meet at the hotel?

22 MR. FELICIANO: I think it was the guy named Boots
23 and shit. I think he was in the hotel with him and shit.

24 TROOPER DONOVAN: Do you know that guy? Oh, okay.

25 MR. FELICIANO: I'm not from -- I'm not --

1 TROOPER DONOVAN: All right.

2 MR. FELICIANO: I'm just [indiscernible] like --

3 I'm from New Bedford. Like, I've never been in the Cape in
4 my life.

5 TROOPER DONOVAN: So, what did he tell you happened
6 at the hotel?

7 MR. FELICIANO: Really, nothing. They just talk
8 about that, you know -- said, like, yo, we just talked,
9 like, and I would just see if I wanted to leave. I call a
10 few people trying to get a ride. My ride came. The ride
11 came.

12 Once the ride came and shit and like he trying to --
13 he, he, he got in the car. He was going to roll a blunt or
14 some shit, and that's when they put the gun in his face. He
15 goes, don't move. Don't move. It was the Cops and shit.

16 TROOPER DONOVAN: Did he tell you who he got the
17 ride from, though? Or who arranged the ride? Who came to
18 get him, anything like that?

19 MR. FELICIANO: Man --

20 TROOPER DONOVAN: If he didn't, he didn't.

21 MR. FELICIANO: No. I, I know he did. I just
22 don't remember. Gosh, he told me he was -- shit, I don't
23 remember.

24 TROOPER DONOVAN: It's okay.

25 MR. FELICIANO: I know he did -- he arranged it.

1 They call him back, like, yo, the ride is over there
2 already.

3 He was standing to get the ride over there. All
4 right. I'm going to get out. (Indiscernible) so, he was
5 like, yo, pull up. Pull up. And they pulled up, he decide
6 to run instead and leave and shit.

7 So, he was stood for a little bit too long. Like,
8 he was telling me. I just don't remember. Plus, he thinks
9 that I don't like to ask again, because I don't want it to
10 look suspicious and stuff.

11 TROOPER DONOVAN: All right. Well --

12 MR. FELICIANO: And right now, he's even scared,
13 because when I was trying to reach people, you know, to see
14 if -- you know, I told my Lawyer and everything. I called
15 you 100 times, [indiscernible] Detective. I have my girl
16 calling y'all. I was -- I don't know who -- who's Mark?
17 You?

18 SERGEANT BUTLER: Yeah, I talked to your girl.

19 MR. FELICIANO: My girlfriend talked to you, right?
20 I, I think they've been listening to the calls over here.
21 Then, the next day, one of the COs was like, yo, Kyle, you
22 got a new roommate today. And he was like, what?

23 No, I'm not. And they're like, yeah, you got a new
24 roommate today. I'm like, no, I'm not. I got a roommate
25 already. And oh, you do?

Arnaldo Feliciano March 19, 2018

28

1 They look at him, and they're like, oh, you sure you
2 don't want to change roommates? And I was like, what? No.
3 You sure? All right. Stay with your roommate.

4 Then, that day, like, the speaker was acting up.
5 So, he got scared. You know what I'm saying? Like, like,
6 yo, I think they're trying to put a CI in my room. I think
7 they're trying to put somebody.

8 You know, said, like I'm not taking nobody. Fuck
9 that shit. If I'm not going to be here with you, like,
10 we're going to the hole. And I'm like yeah, fuck it. We go
11 to the hole. You know what I'm saying? Like, so he's kind
12 of scared like --

13 TROOPER DONOVAN: He's getting nervous?

14 SERGEANT BUTLER: Yeah. He's getting nervous.

15 Like, the CO threw that shit out there, like -- because,
16 like I was telling Jonathan before, like, at the beginning,
17 since he just went to court, he wanted to go to trial, you
18 know?

19 Like, he, he had told his Lawyer that he was going
20 to take a deal. You know what I'm saying? But now, he
21 don't want to.

22 You know what I'm saying? He's like, no. Like --
23 and before, before the CO said that, I was telling him,
24 like, like, like, my Lawyer and Jonathan -- my Lawyer's kind
25 of funny.

1 So, I was, like, yo, like, I can even fucking record
2 this shit like if it help. But now, he just -- he got --
3 he's scared now.

4 TROOPER DONOVAN: Yeah.

5 MR. FELICIANO: Like, he's really -- since the CO
6 said that shit, he's like -- but he already say -- every
7 time he want to ask, he just ask -- like, I never ask him
8 nothing. He just -- whenever he want to ask me something,
9 he just ask.

10 SERGEANT BUTLER: Right.

11 MR. FELICIANO: And I tell him what I think, you
12 know? Like --

13 TROOPER DONOVAN: So --

14 MR. FELICIANO: -- it's up to him, you know?

15 TROOPER DONOVAN: -- I just want to be clear on
16 that, when they met at 2:00 or 3:00-ish in the morning, and
17 that was after Kyle spoke to AV, did I miss the part where
18 they knew where to go? Did, did he tell you that, how he
19 knew when to leave to meet him?

20 MR. FELICIANO: To meet who?

21 TROOPER DONOVAN: To meet the kid, Smooth, that got
22 killed?

23 MR. FELICIANO: AV told him.

24 TROOPER DONOVAN: Oh. But AV told that kid to meet
25 Kyle?

1 MR. FELICIANO: No. Hell no.

2 TROOPER DONOVAN: So, that kid -- so --

3 MR. FELICIANO: No, no, no. AV's bump into him.

4 TROOPER DONOVAN: I got that part.

5 MR. FELICIANO: So -- all right. Then, he left
6 acting like everything was right.

7 TROOPER DONOVAN: Right. And he goes and tells
8 Kyle.

9 MR. FELICIANO: Yeah. Like --

10 TROOPER DONOVAN: Because, like you said, they get
11 the drop on him.

12 MR. FELICIANO: Yeah. We got the drop on him.
13 He's right here.

14 TROOPER DONOVAN: He thinks everything's good?

15 MR. FELICIANO: Yeah.

16 TROOPER DONOVAN: Because they've been looking for
17 him, and they can't find him?

18 MR. FELICIANO: Yeah.

19 TROOPER DONOVAN: Now, they found him. Kyle says,
20 I'll take care of it.

21 MR. FELICIANO: Yeah. He says, yo, I got you.

22 TROOPER DONOVAN: AV says, I got you. Don't worry
23 about it.

24 MR. FELICIANO: Exactly.

25 TROOPER DONOVAN: All right.

MR. FELICIANO: No. Hell no.

TROOPER DONOVAN: So, that kid -- so --

MR. FELICIANO: No, no, no. AV's bump into him.

TROOPER DONOVAN: I got that part.

MR. FELICIANO: So -- all right. Then, he left acting like everything was right.

TROOPER DONOVAN: Right. And he goes and tells Kyle.

MR. FELICIANO: Yeah. Like --

TROOPER DONOVAN: Because, like you said, they get the drop on him.

MR. FELICIANO: Yeah. We got the drop on him. He's right here.

TROOPER DONOVAN: He thinks everything's good?

MR. FELICIANO: Yeah.

TROOPER DONOVAN: Because they've been looking for him, and they can't find him?

MR. FELICIANO: Yeah.

TROOPER DONOVAN: Now, they found him. Kyle says, I'll take care of it.

MR. FELICIANO: Yeah. He says, yo, I got you.

TROOPER DONOVAN: AV says, I got you. Don't worry about it.

MR. FELICIANO: Exactly.

TROOPER DONOVAN: All right.

1 MR. FELICIANO: And he tell him where he's at, and
2 that's when Kev was like, yo, let me --

3 TROOPER DONOVAN: Okay.

4 SERGEANT BUTLER: So, this --

5 MR. FELICIANO: Let me do it.

6 SERGEANT BUTLER: This, this all happened at the
7 same time, essentially?

8 MR. FELICIANO: It has to, because he not going
9 to -- I don't think he was going to be there --

10 TROOPER DONOVAN: No. Yeah. I was just
11 figuring -- I was trying to figure out how Kyle and Keven
12 went out and found them.

13 MR. FELICIANO: Yeah.

14 TROOPER DONOVAN: But you're saying that AV told
15 him they'd be there?

16 MR. FELICIANO: That's what he say.

17 TROOPER DONOVAN: That's what he said?

18 MR. FELICIANO: That's what he said.

19 TROOPER DONOVAN: Okay.

20 MR. FELICIANO: That's what --

21 TROOPER DONOVAN: That's all he has. I got, I got
22 all that other part. I just wanted to make sure I had that
23 little piece.

24 SERGEANT BUTLER: Now, the girlfriend with the bag
25 of clothes, did -- do you know what happened to that bag of

Arnaldo Feliciano March 19, 2018

32

1 clothes?

2 MR. FELICIANO: She, she -- I think he say, yo, I
3 don't know. She got too nervous.. Like, she was supposed to
4 go check to see if she see anything at the scene.

5 But it was too many Cops. So, she left it at the
6 house. She never threw it out. She, she never threw it
7 out. I'm like, damn.

8 TROOPER DONOVAN: Did he tell you her name?

9 MR. FELICIANO: The daughter of the lady that owned
10 the apartment, the same one that they Cops knock and ask,
11 yo, you know this person? She was like, yeah, yeah, that's
12 my, my daughter's boyfriend and his friend.

13 TROOPER DONOVAN: Right.

14 MR. FELICIANO: You know? Because of the clothes.
15 That's his clothes.

16 TROOPER DONOVAN: Okay.

17 MR. FELICIANO: You know? And she saw him with the
18 clothes that night.

19 SERGEANT BUTLER: Did, did she -- did he say
20 anything about her helping to -- what was her involvement in
21 this? Did she have any involvement that you know of?

22 MR. FELICIANO: No. She didn't even knew until
23 after, like, until after he came back. What happened?
24 Like, they saw they were like, yo --

25 SERGEANT BUTLER: But he wanted her to get rid of

1 the clothes?

2 MR. FELICIANO: Yeah. But she didn't do it.

3 SERGEANT BUTLER: And how about the mom?

4 MR. FELICIANO: She, she, she tried to come into
5 the -- she -- like, she saw him coming in. She saw him when
6 he came in with the clothes and shit. But then, he went
7 straight to the room.

8 Then, she tried to knock on the door, yo, what's
9 going on? They're, like, no, just, go get out the room.
10 You know, said, I know something's going on.

11 Like, everything don't -- things don't look right.
12 They're like, just get out the room. Just get out the room.
13 Like, it got nothing to do with you. And they close the
14 door.

15 Like, she didn't know. Like, she didn't know.
16 That's why, that's why, they're, like, yo, she didn't know
17 nothing.

18 That's why she told when the Police knock on the
19 door, she thought that it was -- that something happened to
20 us. When she see the picture, like, she didn't mean to,
21 like, put us out there.

22 You know what I'm saying? But when she see the
23 picture with the clothes, she thought something happened to
24 us.

25 She didn't know that it was that they were looking

Arnaldo Feliciano March 19, 2018

34

1 for us, basically. You know? That's when they got the
2 Warrant and went to the -- some shit went to the house, and
3 they found the clothes. They found the hoodies with blood.

4 He said -- this is what he said: He said, like,
5 with the brain matter and shit like that on the, on the
6 hoodies and stuff. And -- but he -- like, he did -- like he
7 say, yo, I just did it right and left.

8 I knew other people use, use my clothes, so I put
9 things under, so I don't leave my DNA. So, only Kev's DNA
10 was in the, in the hoodie that he used. Then, on mine, they
11 found my brother-in-law body fluids, some shit like that was
12 he say.

13 And so, that's what we're trying to do, trying to
14 make it look like he did it because they can't put me in the
15 scene.

16 SERGEANT BUTLER: Okay.

17 TROOPER DONOVAN: All right. Now, when they went
18 to the hotel, you says -- you said they, they went to Boot's
19 room?

20 MR. FELICIANO: He's -- that's what he said. He
21 said, yo, we went over there. We took the cab -- the taxi
22 to the hotel and shit. Like, Boots was there and shit.
23 And, like, then, he was, like, talking about, yo, it's crazy
24 because -- he just made a statement -- an 82-page statement.

25 But all he doing, like, is lying, like, and shit.

1 Like, he's -- it's only one -- I think it's only one thing
2 on the 82 pages that is accurate. He never want to tell me
3 what it is.

4 He said, like, out of all those -- he said out of
5 all -- everything that he say -- like at first, he was
6 drunk, saying that he put out the hit. Then, my younger men
7 did it.

8 Like, he don't even know what he's talking about.
9 There's only one thing that I'm worrying about that, that he
10 says there that, that's the only thing that's truth.

11 SERGEANT BUTLER: Now, did, did Kyle tell you
12 anything about if Boots was involved or not or --

13 MR. FELICIANO: This -- as I said, he was like, yo,
14 he had nothing to do with it. Like, like, he had nothing to
15 do with them, with them.

16 The other dude that he was supplying them, he's
17 here, too. And like, he just got to 25 years dirty and like
18 and dirty and no, they had nothing to -- like, this was --
19 it was different.

20 SERGEANT BUTLER: Was he dirty?

21 MR. FELICIANO: Yeah. Like, that's the dude that
22 was supplying them. That's Boot's right-hand man.

23 SERGEANT BUTLER: Yeah.

24 MR. FELICIANO: So, it was, like, he had nothing to
25 do with him, you know what I'm saying? Like, it had nothing

1 to -- like, he -- first, he was claiming, like, he had
2 something to do, that he put out the hit, that he did the,
3 he did the -- he had nothing to do with it. But, like,
4 that's the fault of, like --

5 SERGEANT BUTLER: And Kyle's telling you this,
6 right?

7 MR. FELICIANO: Yeah.

8 SERGEANT BUTLER: All right. So, not to put words
9 in your mouth, but from what you're being told, essentially,
10 that, that this was, kind of, like a beef that AV -- this
11 guy AV and Kyle had with Smooth?

12 MR. FELICIANO: Yeah. It was all about the 900
13 block. That's what he said.

14 SERGEANT BUTLER: Oh, the 900 block, okay. About,
15 you know -- probably about drug dealing and territory?

16 MR. FELICIANO: Yeah, about territory trap houses,
17 selling in trap house that they, like, set up in my,
18 [indiscernible] in jail and shit and taking pictures and,
19 and, and bragging about yeah, I'm around here and they --
20 every time they get to him, it's too late.

21 You know what I'm saying? Like, he already keep
22 moving. They got him when they shot him in the head and
23 shit, but -- I don't, I don't know what they shot. But I
24 know he say he shot him, shot him over here. It's like --

25 TROOPER DONOVAN: Did Kyle say he shot him?

Arnaldo Feliciano March 19, 2018

37

1 MR. FELICIANO: Yeah.

2 TROOPER DONOVAN: Okay.

3 MR. FELICIANO: That's what he say. Like, he
4 say -- and like, he say he just shot him. Like, because,
5 he's like, yo, that used to be my boy and shit. You know
6 what I'm saying? He said that he was my man. But --

7 SERGEANT BUTLER: So --

8 MR. FELICIANO: -- everything went south.

9 SERGEANT BUTLER: -- AV has a -- has probably the
10 -- AV's going to probably think about doing this, but then,
11 he gets little bit --

12 MR. FELICIANO: Yeah. Because he was -- it was
13 around there. He thinking that he was on camera.

14 SERGEANT BUTLER: Yeah.

15 MR. FELICIANO: You know what I'm saying? So --

16 SERGEANT BUTLER: So, didn't you say he goes to
17 Florida, you said?

18 MR. FELICIANO: That's --

19 SERGEANT BUTLER: Kyle tells you that?

20 MR. FELICIANO: This is -- no. He --

21 TROOPER DONOVAN: Before that..

22 MR. FELICIANO: Before -- this is what happened.

23 He went to Florida. He's like -- he said, yo, he went to
24 Florida. He took his kids to Disney, because he wanted to
25 clear his head.

Arnaldo Feliciano March 19, 2018

38

1 Because when we found out that Smooth and some of
2 them, they were being around his family house. You know
3 what I'm saying?

4 Like, hidden, waiting for him. He got too close,
5 too personal. He was losing it. He was losing it, so he
6 had to go on vacation, like, clear his head.

7 Then, when he came back, I don't know how -- I don't
8 know if he say a few days. I don't know. I know after he
9 come back, you know what I'm saying, he bumped into him in
10 that, in that place where exactly around the same area where
11 he got killed. Because that's when he gave them the drop.

12 SERGEANT BUTLER: Now, does -- did Kyle -- what did
13 Kyle say about Kev?

14 MR. FELICIANO: He said --

15 SERGEANT BUTLER: They -- how they met or anything
16 like that? Or is that --

17 MR. FELICIANO: They, they -- that, that he was --
18 Dirty brung him. He brung him to the Cape and shit, and
19 they had him over there like -- he was like, yo, that kid,
20 that had him, like, hotels, saying -- even, basically,
21 staying in the alley. You know what I'm saying?

22 So, he wasn't like, yo -- that's like -- he didn't
23 like that. Like, it was a young kid. He was like, yo, come
24 over here. You are going to stay with me. He took him to
25 his trap over there where he used to stay and shit, gave an

Arnaldo Feliciano March 19, 2018

39

1 air mattress and shit, like, yo, you're going to stay with
2 me.

3 And then, like, yo, yo people, like -- I don't know
4 what your people are at right now, but your people give me,
5 give me a lot of work. You know what I'm saying?

6 Like, you going to work with me and shit. I'm
7 going, I'm going to show you. And then, they start working.
8 Then, he started giving him money.

9 Like, on the first time, it was like, yo, just give
10 him \$3500. He was like, yo, I've never seen money like
11 this.

12 Like, my own people don't treat me like this and
13 shit. Yo, anything, I got you. Like, whatever -- you need
14 to do anything, I got you. So, they were like working
15 together, basically.

16 He was doing things -- he was the one that was
17 running -- that's -- he said he was running for Kyle and
18 shit. That I think it wasn't long. I think it was only a
19 few weeks, he was saying.

20 SERGEANT BUTLER: Yeah.

21 MR. FELICIANO: If -- I'm not sure, but, like, yo
22 -- and, and then, we had just go clothes shopping, too.
23 Like, he was, like -- he just wanted to show his
24 appreciation by doing whatever he want. That's how they
25 met. That's, that's what he said.

Arnaldo Feliciano March 19, 2016

40

1 SERGEANT BUTLER: Right.

2 MR. FELICIANO: Like I say, I don't know -- I've
3 never been in the Cape in my life. So --

4 SERGEANT BUTLER: Did you -- have you heard about
5 any of this from anybody else other than Kyle?

6 MR. FELICIANO: Nobody. This isn't really --

7 SERGEANT BUTLER: And you've known --

8 MR. FELICIANO: I don't --

9 SERGEANT BUTLER: -- Kyle -- so, Kyle got arrested
10 in --

11 MR. FELICIANO: In -- I think it was June, June,
12 June --

13 SERGEANT BUTLER: Right.

14 MR. FELICIANO: -- 2015.

15 SERGEANT BUTLER: That's right. Now, have you
16 been -- have you known him since that day or since --

17 MR. FELICIANO: No. I got arrested in October --

18 SERGEANT BUTLER: October --

19 MR. FELICIANO: November, November 2015.

20 SERGEANT BUTLER: And that's kind of when you met
21 him?

22 MR. FELICIANO: No. I met him -- the thing is that
23 he was across the window from me.

24 SERGEANT BUTLER: Yeah.

25 MR. FELICIANO: He was in C3. I was in E3. Back

1 then, like, if I wanted, if I wanted a smoke or
2 [indiscernible] something, it was his unit that had it. And
3 my friend knew him.

4 You know, see, my friend left, so, we used to talk
5 through the window like in signals how we doing shit. So,
6 that's how we met, and people keep talking about me.

7 So, he got, like -- he got to know me. Like, if
8 they need anything, like, I send it over. They send it
9 over. And then, I got luck and I end up in C3 with him.

10 You know? And that's when we started talking and
11 shit like he already knew about me. You know what I'm
12 saying? I didn't know nothing about him. I didn't even
13 know who he was.

14 Like, I know him through the window. I know his
15 name is Killer. That's all I knew. Then, we start talking
16 and shit. And then, I got luck.

17 I went to the hole. Then, I went to H1. He was
18 there when I got there. I was like, yo -- that's when we
19 started talking a little bit more.

20 That's when somebody told me when I was in the hole.
21 Like, I didn't even know he was down for a body. You know
22 what I'm saying? Like, he'd been down for a while and now
23 why?

24 SERGEANT BUTLER: What --

25 MR. FELICIANO: I don't -- that's in H1 for like a

1 week. I got into it --- I got into a big fight. I went to
2 the hole.

3 When I got out of the ICE, like segregation, he was
4 --- he got luck, and he was down there. So, we talking and
5 shit. Boom, I end up in the unit that I am now.

6 No, I was E3 -- that -- few thing happen no end up
7 in that unit where he's at right now, where I'm at. I was
8 in there in the TV set and shit. So, we already built. You
9 know what I'm saying? We already been building, building,
10 building.

11 So, he was like, yo, tell your roommate to let me
12 move in with you. All right. So, I'm trying to get my
13 roommate to -- he went and -- my roommate didn't want to,
14 didn't want to. And about the kid, he's dirty kid and shit.

15 So, I was like, yo, I'll move in with you. So, I
16 just move in with him upstairs. Then, like, not even a week
17 later, the kid got luck. It -- that's the in the cell that
18 we can watch TV from bed laying down in the cell. So, then,
19 we just move into that cell.

20 You know what I'm saying? So, we be cellies.
21 Seeing as like, he asked me to move in with me. So, I ended
22 up moving in with him.

23 TROOPER DONOVAN: Is that when he started talking
24 to you about his case?

25 MR. FELICIANO: Not right away, just -- you know

Arnaldo Feliciano March 19, 2018

43

1 what I'm saying? We just talk and just come out. You know
2 what I'm saying?

3 He'd think about something. Like, yo, what you
4 think about this? Like, it wasn't all at once. It --
5 everything that I tell you is like probably say something
6 today, then, he say something three days, four days later.

7 SERGEANT BUTLER: Right.

8 MR. FELICIANO: Then, probably next week. You
9 know, like, little by little. You know? Now, since that
10 shit happened with the CO, like asking if you want to move,
11 like, he's been, like -- now, he's, kind of, sketchy and
12 shit.

13 SERGEANT BUTLER: Okay. Have you read any reports
14 or anything about this?

15 MR. FELICIANO: No. He don't got it. His Lawyer
16 took them.

17 SERGEANT BUTLER: Okay.

18 MR. FELICIANO: From a while, like --

19 SERGEANT BUTLER: So, everything, everything you
20 know, you know from --

21 MR. FELICIANO: From his mouth.

22 SERGEANT BUTLER: From his mouth. Is anybody else
23 talking about it in here? Or has he --

24 MR. FELICIANO: No.

25 SERGEANT BUTLER: -- told anybody else?

Arnaldo Feliciano March 19, 2018

44

1 MR. FELICIANO: Like, not too -- no, not, like --
2 people know that he's down for, for a body, but that's it.
3 Like, other people, like -- I'm Spanish. Like, I don't, I
4 don't deal with too many people. You know what I'm saying?

5 Like the Spanish people, you know what I'm saying?
6 And he's my roommate, so, like, I've been with him. We live
7 in the same cell. And, like, besides that, I don't --

8 SERGEANT BUTLER: Some of these nicknames you've
9 used, how do you know the names of these people?

10 MR. FELICIANO: Because he said it.

11 SERGEANT BUTLER: Okay.

12 MR. FELICIANO: And I don't know.

13 TROOPER DONOVAN: Yeah. We just need to make sure
14 that --

15 MR. FELICIANO: I know.

16 TROOPER DONOVAN: Where it's coming from. It's not
17 that we don't believe you. We just --

18 MR. FELICIANO: Oh, no. Like, that's -- all I know
19 is what I heard is --

20 TROOPER DONOVAN: And what you heard was from
21 Kyle Walker?

22 MR. FELICIANO: From Kyle Walker.

23 TROOPER DONOVAN: Okay.

24 MR. FELICIANO: The only person, like -- because I
25 was, I was rooming with Dirty, before. But, like, I didn't

Arnaldo Feliciano March 19, 2018

45

-- 1 -- and it's funny because, like, when I was zooming with
2 Dirty, he never talk about Kyle.

3 He never say -- I didn't even know until he was like
4 -- until he tell me one day, yo, look at this. And I was
5 like, yo, who's that?

6 That's Kyle. I was like, yo, he was with -- like,
7 in his report say some shit about how Kyle got arrested.
8 You know what I'm saying?

9 Like, he was in -- oh, shit, you fucked with him in
10 the street? Like, yeah, I used to give him work. I'm like,
11 oh, shit. I didn't even know that. You never talk about it
12 either.

13 Like -- I'm like, no, because that's, like,
14 [indiscernible]. Well, I, I left it on that because I don't
15 want to -- you know what I'm saying? It's just -- they,
16 like -- it's like two different -- you know what I'm saying?
17 Like, they were dealing with each other, but, like, there
18 wasn't mens --

19 SERGEANT BUTLER: Right.

20 MR. FELICIANO: -- like that, like -- so, I don't
21 know. It's funny. It was -- I don't know it was funny, but
22 neither one talk about the other like that. And not like --
23 sometimes, it's funny because that's the person that was
24 supplying you. You know what I'm saying?

25 TROOPER DONOVAN: Right. All right. You have

Arnaldo Feliciano March 19, 2018

46

1 anything else?

2 SERGEANT BUTLER: Real quick. When -- did he say
3 anything about when he gets back, when he gets to the hotel
4 and he's with Boot? What got talked about at the hotel?

5 MR. FELICIANO: No. No. He say, he say they talk
6 about shit, but he never said. He was, like, yo -- all he
7 keep saying, like, yo, it's crazy because like, like, I
8 never told him, like, everything.

9 But it's, it's only, like -- he only know about a
10 few things that, like -- and he's -- like, he, he even, like
11 -- he's, like, yo, I never talk to him like that. Like,
12 yeah, like, we tell him a few things, but not like
13 everything.

14 But the few things that I say, he mention one little
15 thing on that -- on the statement that he made, that's the
16 only thing that's true, but he never say what the thing is.
17 The only thing -- oh, yeah.

18 He say -- the thing that he say they can confirm it
19 when ballistics come back. That's the -- or some shit,
20 like, that, like, he said that was on the statement. That's
21 the only thing that he say that, that really -- but he
22 always say that not like -- they really had nothing to do
23 with it --

24 SERGEANT BUTLER: Okay. All right. All right.

25 TROOPER DONOVAN: So, like we told you in the

Arnaldo Feliciano March 19, 2018

47

1 beginning, we will take this information, we pass it along,
2 and they'll, kind of, you know, see the value in it and see
3 what -- see if there's anything that they can do. Because,
4 obviously, you're in a position, right, where you just
5 caught more time or something?

6 MR. FELICIANO: No.

7 TROOPER DONOVAN: Oh.

8 MR. FELICIANO: I'm facing the same -- my same
9 time.

10 TROOPER DONOVAN: Oh, okay. My mistake then.

11 MR. FELICIANO: It was, it was -- I caught -- me, I
12 caught a trafficking charge. My brother, somebody else, you
13 know what I'm saying, like, they already took -- they
14 offered seven to 10. They took eight years. You know what
15 I'm saying?

16 Like, I -- like I told -- I don't want -- I'm not
17 going to take nothing because, like, if the drugs ain't
18 mine, like, I really, like -- yeah, I was using drugs, like,
19 at the end, at the end of my run. I was just using. You
20 know what I'm saying?

21 Like, I'm not going to take -- like, I got kids.
22 Like, eight years? Like, I wasn't -- like, that's they
23 drug. Like, I didn't know it was -- that -- I'm on the
24 drugs in there. I know it was drugs, but I'm, like, I'm not
25 going to do, like, eight years?

By the time I come home, all my kids going to be what? In high school? Like, no, man, like -- and I gave information before, and I helped Jonathan and I called Jonathan.

He called the DA and my Lawyer. They try -- I'm, like, listen, man. Like, I'm really, like -- like, I really help whatever I can do.

Like, I just want to be home with my family. You know what I'm saying? Now, that I don't have a habit, drug, I know things going to be different.

Like, I'm not -- you know what I'm saying? Then, I ask my Lawyer, like, yo listen. He started talking. I'm like, yo, you think this can hurt? Like, I'm willing to help. Like, I'm willing to show that I'm really, like --

SERGEANT BUTLER: Okay.

MR. FELICIANO: Once I do this, like, I know that I leave the streets alone. Like, if I do this, like, I go and take a stand on somebody, yeah, he said this, like, I know that's my way out. Because I can't lie --

TROOPER DONOVAN: Because that's the other thing, I mean, if this goes somewhere, you'll have to testify to it.

MR. FELICIANO: Like, like, like, I said --

TROOPER DONOVAN: And you're willing to do that?

MR. FELICIANO: That's what I was telling. Like, like --

Arnaldo Feliciano March 19, 2018

49

1 TROOPER DONOVAN: Okay.

2 MR. FELICIANO: -- I know if I -- like, if I do
3 this, that's my ticket out the streets. Like, I can't be in
4 the streets no more. Like, I know now that I do, like, have
5 to put my 100 percent to my kids and my family..

6 I got to leave the -- like, like, this is -- you
7 know, this is like the worst sin when you come to the
8 street. Like, when you take a stand on somebody, that's it.

9 Especially on a case like this, like -- so, this is
10 what I did. Like, like, I know what I'm willing to do for
11 my family, if -- I don't care. Like, like, right now, if
12 it's to tell the truth about something that somebody told
13 me, I'd do it. Like --

14 TROOPER DONOVAN: All right. So, we're going to
15 end the interview. It's 11:16.

16 (Interview ended at 11:16 a.m.)

1 Arnaldo Feliciano March 19, 2018

2 50

3 1 C E R T I F I C A T E

4 2 This is to certify that the attached interview transcript
5 3 in the matter of was held as herein appears, and that the
6 4 foregoing is a true and accurate transcript, to the best of
7 5 my skill and ability, from the original recording provided.

8 

9 10 Transcriptionist

11 12 O'Connor Legal, Medical & Media Services LLC